

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TAMRA FRIESKE and BERNARD
HENRI ELDREDGE, individually and
on behalf of all others similarly
situated,

Plaintiffs,

v.

LIFE ALERT EMERGENCY
RESPONSE, INC., a California
corporation, and JOHN DOES 1-20,

Defendants.

NO: 2:15-CV-0179-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE

BEFORE THE COURT is Plaintiff's Notice of Voluntary Dismissal (ECF No. 4). Plaintiff filed a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) on August 19, 2015. Because Defendant Life Alert Emergency Response, Inc. has neither filed an answer nor moved for summary judgment, Plaintiff has an absolute right to voluntarily dismiss this case.¹ *See Fed.*

¹ The John Doe defendants have not been named.

1 R. Civ. P. 41(a)(1)(A)(i). No class has been certified in this matter; thus, Rule
2 23(e)'s exceptions do not apply.

3 **IT IS ORDERED:**

4 1. All claims and causes of action in this matter are **DISMISSED** without
5 prejudice and without costs or fees to any party.

6 2. All pending motions are denied as moot and hearing dates stricken from
7 the Court's calendar.

8 The District Court Executive is hereby directed to enter this Order, furnish
9 copies to counsel, and **CLOSE** the file.

10 **DATED** August 20, 2015.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge